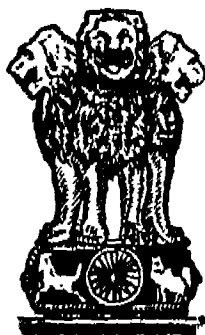


The Gazette



of India

PUBLISHED BY AUTHORITY

No 18]

NEW DELHI, SATURDAY, APRIL 30, 1949

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 27th April 1949 :—

S. No.	No. and Date	Issued by	Subject
1	No. S.S.-21(4), dated the 19th April 1949	Ministry of Labour	Amendment in the Notification of the Govt. of India in the Ministry of Labour No. 55-21(4), dated the 28th December 1948.
2	No. 34-T.(37)/48, dated the 20th April 1949.	Ministry of Commerce	Resolution re appointment of a Fiscal Commission to enquire into the industrial policy.
3	No. I(30), dated the 31st March 1949	Ministry of Relief and Rehabilitation	Possession of and control over certain evacuee properties in the Province of Delhi.
4	No. 91-C.W.(4)/49, dated the 21st April 1949.	Ministry of Commerce	Amendment in the Notification No. 91-C.W.(4)/49, dated the 12th April 1949.
5	No. 140, dated the 21st April 1949	Ministry of Industry and Supply	Further amendment in the Notification of the Govt. of India in the late Department of Industries and Supplies No. 19, dated the 9th January 1948.
6	No. 34-T(37)/48, dated the 22nd April 1949.	Ministry of Commerce	Resolution re appointment of Shri Ambalal Sarabhai as a member of the Fiscal Commission.
7	Errata, dated the 23rd April 1949	Ditto	Corrections in the Public Notice of the Government of India in the Ministry of Commerce No. 1(4)-ITC/49, dated the 22nd February 1949.
8	No. D. 2055-BI/49, dated the 25th April 1949.	Ministry of Finance	Statements relating to the Revised Estimates for 1948-49 and the Budget Estimates for 1949-50.
9	No. 36(I)-T.B./49, dated the 25th April 1949.	Ministry of Commerce	Resolution re recommendation of the Tariff Board for the protection to the Sericulture Industry.
	No. 36(I)-T.B./49, dated the 25th April 1949.	Ditto	The customs duties on some articles under the Indian Tariff Act, 1934.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

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PART I—Section 1

Government of India Notifications relating to Rules, Regulations and Orders, and Resolutions (other than the Ministry of Defence)

CONSTITUENT ASSEMBLY OF INDIA

New Delhi, the 22nd April 1949

No. CA/8/Ser./49.—The Hon'ble Pandit Binodanand Jha has been duly chosen as a representative of the Province of Bihar in the Constituent Assembly of India, *vice* Mr. C. H. Bhabha, resigned.

S. N. MUKERJI, Joint Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 22nd April 1949

No. 7/8/48-Ests.—In exercise of the powers conferred by section 241 of the Government of India Act, 1935, the Governor General is pleased to direct that the following further amendment shall be made in Schedule II annexed to the Civil Services (Classification, Control and Appeal) Rules, namely:—

In the said Schedule, after the existing entry "(19-B) Railway Inspectorate Service", the following entry shall be added, namely:

"(19-C) Indian Postal Service (Class I)."

C. B. GULATI, Under Secy.

New Delhi, the 26th April 1949

No. 5/2/49-Apptt. (Sp.).—The following Order of the Governor-General is published for general information:—

ORDER

At the instance of the Government of the United Provinces a reference was made to the Federal Court under clause (b) of sub-section (2) of section 220 of the Government of India Act, 1935, in respect of certain charges made against Shri Shiva Prasad Sinha, a Judge of the High Court of Judicature at Allahabad. In respect of the said charges the Federal Court after considering all the materials placed before it has reported as under:—

"On 20th July 1948 a reference was made by the Governor-General of India under section 220 (2) (b) of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, and the India (Provisional Constitution) Amendment Order, 1948, by forwarding a petition of the Government of the United Provinces containing certain charges against Mr. Justice Shiva Prasad Sinha, who was appointed a Permanent Judge of the Allahabad High Court in October 1944.

"On receipt of the reference from the Governor-General we directed that the Governor-General should serve a copy of the charges on the respondent, who was called upon to file his reply within a specified time. Thereafter the Governor-General filed affidavits in support of the various facts and allegations contained in the petition and they were served on the respondent who, in his turn, filed affidavits in reply. Affidavits in rejoinder on behalf of the Governor-General were also put in. Counsel for the respondent requested that a number of witnesses who had made affidavits should be summoned to appear before the Court to be cross-examined. This was allowed and the hearing was fixed for the 14th February 1949. After hearing the reference for about three weeks from day to day, a short time was given to the parties at their request to collect additional materials. We proceeded with the further hearing of the petition on the 16th March 1949, which was concluded on the 22nd of March.

"While we are alive to the desirability, in the interests of the public, of investigating charges against a Judge in open Court, we held the enquiry *in camera* in view of the allegations made in the affidavits and the circumstances of the case. This mode of proceeding should not, however, be regarded as a precedent.

"The charges made by the Governor-General against the respondent (omitting those which were given up) are as follows:—

"FIRSTLY, that Mr. Justice Sinha has been guilty of judicial misconduct inasmuch as his decisions in the following cases were grossly unjudicial and based on ultra-judicial considerations and were of such a nature as to induce a belief in the mind of the public that they were actuated by corrupt motives.

"(i) PADRAUNA CASE.

"A suit was filed by Rani Rewati Devi in the Court of the Civil Judge of Gorakhpur for partition of family property. On an application filed by her, the said Court on the 19th May, 1945, ordered an inventory to be made of the jewellery and the movables in the possession of the defendant. On the 23rd May, 1945, the first defendant in the said suit made an application to the District Judge for the transfer of the case from the Court of the Civil Judge and for a stay of further proceedings. On the same day the District Judge stayed all proceedings in the Court of the Civil Judge and issued a notice to the plaintiff. On the 25th May, 1945, the District Judge vacated the interim order for stay after hearing the parties and on 2nd June, 1945, dismissed the application for transfer. On the 5th June, 1945, during the vacation of the Court, the first defendant filed through Mr. Shambhu Prasad, the brother of Mr. Justice Sinha, who is an advocate of the Allahabad High Court, an application in the High Court of Allahabad for the transfer of the suit from the court of the Civil Judge, Gorakhpur, to the court of the District Judge, Gorakhpur, and for a stay of all proceedings and for an injunction against the Commissioners appointed to make the inventory restraining them from taking any further proceedings till the disposal of the application. The said application for transfer was obviously made only to create a pretext of jurisdiction in the High Court. Although civil applications are not entertained during the vacation unless they require immediate attention, Mr. Justice Sinha entertained that application and passed an order of stay, with the result that great loss is said to have been sustained by the plaintiff and movables and jewellery of considerable value are said to have been removed by the first defendant.

"In the same matter, the plaintiff appeared in court before Mr. Justice Wali Ullah on 11th June, 1945, and moved an application for an injunction to restrain the first defendant from disposing of the movables and the learned Judge gave an *ad interim* injunction to that effect and directed on the 12th June 1945 that the applications filed before Mr. Justice Sinha and the one filed before him should be listed the next day for early disposal before Mr. Justice Sinha and Wali Ullah J. The next day when the matter came before Mr. Justice Sinha and Mr. Justice Wali Ullah, Mr. Justice Sinha gave vent to a violent outburst of temper in court and expressed great annoyance that Mr. Justice Wali Ullah should have issued the interim injunction restraining the first defendant from disposing of the movables during the pendency of the transfer application. Ultimately the application for transfer was dismissed by a Bench consisting of Iqbal Ahmad C.J., Sinha and Wali Ullah JJ, and the application for transfer to the District Court was characterized by Iqbal Ahmad C.J. as a gross abuse of the process of the court and the application for transfer made in the High Court was characterized as frivolous as the application for transfer to the District Court. The learned C.J. said that the delaying tactics adopted by the first defendant resulted in grave miscarriage of justice. In an off-shoot of the same case, *viz.*, in an appeal to the High Court by the first defendant from an order appointing a receiver when the Chief Justice of Allahabad High Court desired on the 16th January, 1947, to substitute a bench of two Judges to hear it instead of the bench consisting of three Judges, *viz.*, Mr. Justice Sinha, Mr. Justice Wali Ullah and Mr. Justice Mootham, before which the appeal had been

opened about four months ago and the three Judges including Mr. Justice Sinha were asked by the C.J. whether they had any objection to the case being treated as not part heard, Mr. Justice Wali Ullah and Mr. Justice Mootham agreed but Mr. Sinha did not agree at first on the ground that the case was really part heard, but ultimately, *viz.*, on the 20th March 1947, Mr. Justice Sinha agreed that the case need not be treated as part heard.

"In the same matter while the appeal was pending in the High Court, Mr. Justice Sinha in or about the end of August 1946 met Mr. Dikshit, the constituted attorney of the plaintiff, in the Alfred Park and engaged him in conversation and stated that the case should be compromised by the plaintiff.

"(ii) CRIMINAL REVISION No. 1150 OF 1945 MURARILAL v. KING-EMPEROR.

"Mr. Justice Sinha dismissed the revision application on the 8th January 1946, and refused the prayer of Dr. Kailash Nath Katju who appeared for the accused for a reduction of the sentence on the ground that there were no extenuating circumstances and ordered the applicant to surrender to his bail to serve out the sentence. To the knowledge of Mr. Justice Sinha the applicant did not surrender to his bail and on 1st March 1946 made an application that further arguments in the case be heard and the applicant be released under U.P. First Offenders Probation Act. On the 8th March 1946, Mr. Justice Sinha made an order allowing the applicant "to remain on bail" on furnishing certain sureties. On the 21st March 1946, Mr. Justice Sinha modified the sentence by increasing the fine from Rs. 500 (five hundred) to Rs. 2,500 (two thousand five hundred) and remitting the entire sentence of imprisonment on the strength of four testimonials which Murarilal had obtained after Mr. Justice Sinha had dismissed the revision application and which testimonials were inadmissible in evidence and had not been duly proved. After having dismissed the revision application Mr. Justice Sinha had no power to modify the sentence. Mr. Justice Sinha purported to make the order under section 561A of the Criminal Procedure Code.

"(iii) In two criminal appeals where the accused were sentenced under section 302 of the Indian Penal Code to transportation for life, Mr. Justice Sinha granted applications for bail when the applications were moved by Mr. Jalaluddin Ahmad with whom Mr. Justice Sinha was on friendly terms. The particulars are:—

"(a) CRIMINAL APPEAL No. 81 OF 1946. NURUDDIN AND SIX OTHERS v. KING-EMPEROR.

"An application for bail of Jamshed, one of the convicted persons, had been refused by Bennet J. A second application was filed before Mr. Justice Sinha on the 5th July 1946 by Mr. Jalaluddin Ahmad who had charged Rs. 400 for moving the application and had assured the father of Jamshed that if this money was paid to him, a favourable order would be passed by Mr. Justice Sinha. Mr. Justice Sinha granted the application for bail.

"(b) CRIMINAL APPEAL No. 429 OF 1946.

"Mr. Justice Sinha on 4th July 1946 granted bail to Ale Ali, who was represented by Mr. Jalaluddin Ahmad, though the bail of every other applicant was refused and there were no special circumstances to distinguish the case of Ale Ali from the cases of others.

"SECONDLY, that Mr. Justice Sinha has been guilty of improper exercise of judicial functions, the cumulative effect of which was to lower the dignity of his office and undermine the confidence of the public in the administration of justice, as shown by the following instances:—

"(a) While Mr. Justice Sinha was hearing second appeals under Order 41, rule 11 of the Code of Civil Procedure he evolved and followed a rule which was commonly known among the members of the Bar as the "50:50 rule", requiring the members of the Bar to specify which appeals (roughly half of the appeals in which they were appearing) should be dismissed under Order 41, rule 11, so that the rest may be admitted. On such appeals being so mentioned, Mr. Justice Sinha would dismiss and admit them accordingly without arguments and irrespective of their merits.

"(b) Mr. Justice Sinha has earned for himself the reputation of having his favourites, whose engagement in a case before him was likely to affect his decision in favour of the party for whom they appeared. Among these favourites were his brother, Mr. Shambhu Prasad, Mr. Shunkar Sahai Verma, Mr. Jalaluddin Ahmad, Mr. H. K. Mahmud and Mr. Lakshmi Saran. As a result of this reputation, these lawyers were engaged in many instances when it was known that the case was likely to go before Mr. Justice Sinha. Engagement of such counsel generally resulted in the decision going in favour of the party engaging them.

"(c) When this matter gained notoriety and caused bitter criticism by the members of the Bar, a system was evolved of the favourites of Mr. Justice Sinha who were engaged by a party, appearing in court sitting by the side of the counsel arguing the case to indicate to Mr. Justice Sinha that they had been engaged, without a retainer slip or a *Vakalatnama* being filed by them.

"(d) Under the Bar Council Rules, a new relation of a Judge should not appear before him when sitting alone. To evade this rule, Mr. Justice Sinha gave it the interpretation that this only applied if the new relation appeared alone before the Judge and not if he was briefed along with another counsel, and thus allowed Mr. Shambhu Prasad to appear before him in many cases. This matter gained much notoriety.

"THIRDLY, that Mr. Justice Sinha has been guilty of judicial indiscretion, indecorum and impropriety inasmuch as—

"(a) on or about 26th August, 1947, he approached Mr. Justice Wali Ullah and Mr. Justice Sapru and wanted them to appoint Mr. H. K. Mahmud, Advocate, one of his favourites, a Receiver in a case pending before them.

"(c) In the Padrauna case referred to in the first charge when the matter came before Mr. Justice Sinha and Mr. Justice Wali Ullah on the 13th June 1945, Mr. Justice Sinha gave vent to a violent outburst of temper in court and expressed great annoyance that Wali Ullah J. should have issued an *ad interim* injunction.

"(d) In an off-shoot of the Padrauna case, *viz.*, in F.A.F.O. No. 22 of 1946, when the said appeal was pending in the High Court, Mr. Justice Sinha in or about the end of August 1946, met Mr. Dikshit, the constituted attorney of the plaintiff in the Alfred Park, and engaged him in conversation and stated that the case should be compromised by the plaintiff.

"FOURTHLY, that Mr. Justice Sinha has been guilty of conduct outside the court which is unworthy of and unbecoming the holder of such a high office—

"(b) When Mr. M. C. Gupta was a candidate for the post of the Executive Officer of the Allahabad Municipal Board, Mr. Justice Sinha went to the house of Khan Sahab Mazhar Hussain, Superintendent, Translation Branch of the High Court, at or about the end of July or beginning of August 1945 to canvass his support and to secure the votes of other members of the Municipal Board for Mr. M. C. Gupta.

"FIFTHLY, that Mr. Justice Sinha gave an incorrect declaration that he was born on 26th of February 1899 when he was asked to declare his age in order to determine the date of his retirement from the office of the Judge of the Allahabad High Court. The correct date of birth of Mr. Justice Sinha falls in the month of February 1899 as is clearly proved from the entry against Roll No. 37 in the list of candidates who passed the Entrance Examination held in May 1907 on page 551 of Part IV of the U.P. Gazette, dated July 13th, 1907.

"Having considered all the materials placed before us we think that out of the five charges brought against the Judge, four have not been established and much of the court's time was unnecessarily spent in investigating them. Charge No. 1, however, has been established in respect of the Judge's decision and conduct in connection with what has been referred to as the Padrauna case and Murarilal's case. In our opinion, in those two cases he was actuated by extra-judicial considerations in arriving at his conclusions. We consider that his conduct in the two cases, viewed in the light of proved facts, cannot be

explained as an honest error of judgment. We are therefore constrained to report that though only two instances of judicial misbehaviour during a career of four years of the respondent as a Judge have been proved, they are of such a nature that his continuance in office will be prejudicial to the administration of justice and to the public interest. We therefore think that he should be removed from his office as a Judge."

After giving the most anxious consideration to the matter in view of this being the first case of its kind in the history of the Indian High Courts, I, Chakravarti Rajagopalachari, Governor-General of India, accept the above report of the Federal Court and, in the exercise of the powers conferred by sub-section (2) of section 220 of the Government of India Act, 1935, do hereby remove Shri Shiva Prasad Sinha from his office of a Judge of the High Court of Judicature at Allahabad.

(Sd.) C. RAJAGOPALACHARI,
Governor-General of India.

NEW DELHI;

The 22nd April 1949.

H. V. R. IENGAR, Secy.

New Delhi, the 27th April 1949

No. 21/1/49-G.S.—The following addition is made to the Rules for the Combined Competitive examination for the All-India and Central Services, Class I, published in Part I, Section 1, of the *Gazette of India*, dated the 12th March 1949:—

In Appendix I, under "Indian Universities", in the bracketted portion against the University of Rajputana, between the words "Science" and "Agriculture" insert the word "Commerce".

B. D. TEWARI, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 22nd April 1949

No. 92-D.—*Corrigendum.*—The Government of India is pleased to make the following further amendment in the annexure to the late Political Department Notification No. 292-ID, dated 14th August 1947, viz.:—

Under sub-head "TRAVANCORE",

For the entry 'No. 5922 Sub. P. Raghvan Nair, 1st Travancore Infantry',

Substitute 'No. 5922 Sub. R. Raghvan Nair, 1st Travancore Infantry'.

No. 93-Econ.—In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in this behalf, and in supersession of the notification of the Government of India, No. 382 I.B., dated 14th December 1948, the Central Government is pleased to direct that the Central Excises and Salt Act, 1944 (I of 1944) shall apply to Kutch State subject to the following amendments:—

(1) Sub-sections (2) and (3) of section 1 shall be omitted; and

(2) for the words "the Provinces of India" wherever they occur, the word "Kutch" shall be substituted.

2. The said Act supersedes the corresponding State enactments (by whatever name called) at present in force in the said State:

Provided that—

(1) all proceedings taken under any of the enactments which were in force in the State and pending at the commencement of this Order shall be continued as if they had been taken under the corresponding provisions of the Central Excises and Salt Act, 1944;

(2) all appointments, delegations, notifications, orders, bye-laws, rules and regulations made or issued by or in pursuance of any of the said enactments are hereby confirmed and shall have effect as if made or issued under this Order.

3. Any court may construe the said Act with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the court.

No. 94-Econ.—Whereas the Central Excises and Act, 1944, has been applied to the State of Kutch by the Ministry of States Notification No. 382-I.B., dated December 14, 1948;

Now, therefore, in exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to direct that the Central Excise Rules, 1944, as amended from time to time in their application to the Provinces of India, shall apply to the said State with the following modifications:—

(i) sub-clause (2) of Rule 1 shall be omitted;

(ii) at the end of sub-clause (ii) of Rule 2 add the following:—

"(g) in the State of Kutch
the Collector of Customs, Kutch, Bhuj"

(iii) for the words "the Provinces of India" the word "Kutch" shall be substituted; and

(iv) rule 234 shall be omitted.

2. The said Rules supersede the corresponding State enactments (by whatever name called) at present in force in the Kutch State:

Provided that—

(i) All proceedings taken under any of the enactments which were in force in Kutch State and pending at the commencement of this Order shall be continued as if they had been taken under the corresponding provisions of the said Rules.

(ii) All appointments, delegations, notifications, orders, bye-laws, rules and regulations made or issued under or in pursuance of any of the said enactments are hereby confirmed and shall have effect as if made or issued under this Order.

3. Any Court may construe the said Rules with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court.

C. GANESAN, Dy. Secy.

MINISTRY OF FINANCE

New Delhi, the 20th April 1949

No. D. 5403-FI/49.—Statement of the Affairs of the Reserve Bank of India, as on the 15th April 1949

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	8,47,60,000
Reserve Fund	5,00,00,000	Rupce Coin	7,61,000
Deposits:—		Subsidiary Coin	1,75,000
(a) Government—		Bills Purchased and Discounted:—	
(1) Central Government	161,86,65,000	(a) Internal	48,94,000
(2) Other Governments	32,92,37,000	(b) External
(b) Banks	49,98,44,000	(c) Government Treasury Bills	8,80,15,000
(c) Others	70,34,08,000	Balances held abroad*	191,21,15,000
Bills Payable	2,87,43,000	Loans and Advances to Governments	70,00,000
Other Liabilities	15,26,01,000	Other Loans and Advances	5,75,09,000
		Investments	122,79,89,000
		Other Assets	4,92,80,000
Rupees	343,24,98,000	Rupees	343,24,98,000

* Includes Cash and Short Term Securities.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 15th day of April 1949

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	8,47,60,000		A.—Gold Coin and Bullion:—		
Notes in circulation	1192,34,31,000		(a) Held in India	40,01,71,000	
Total Notes Issued	1200,81,91,000		(b) Held outside India	720,34,38,000	
			Total of A	760,36,09,000	
			B.—Rupce Coin	46,73,59,000	
			Government of India		
			Rupce Securities	393,72,23,000	
			Internal Bills of Exchange and other commercial Paper	
Total Liabilities	1200,81,91,000		Total Assets	1200,81,91,000	

Ratio of Total of A to Liabilities: 63.320 per cent.

Dated the 20th day of April 1949.

New Delhi, the 26th April 1949

No. D. 5642-FI/49.—Statement of the Affairs of the Reserve Bank of India, as on the 22nd April 1949

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	16,18,84,000
Reserve Fund	5,00,00,000	Rupce Coin	9,15,000
Deposits:—		Subsidiary Coin	1,54,900
(a) Government—		Bills Purchased and Discounted:—	
(1) Central Government	169,31,72,000	(a) Internal	48,94,000
(2) Other Governments	20,90,84,000	(b) External
(b) Banks	57,64,06,000	(c) Government Treasury Bills	9,05,63,000
(c) Others	69,63,59,000	Balances held abroad*	186,58,74,000
Bills payable	2,40,34,000	Loans and Advances to Governments	3,58,00,000
Other Liabilities	16,52,30,000	Other Loans and Advances	6,28,43,000
		Investments	119,15,76,000
		Other Assets	4,97,82,000
Rupees	346,42,85,000	Rupees	346,42,85,000

*Includes Cash & Short term Securities.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 22nd day of April 1949

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs	ASSETS	Rs	Rs
Notes held in the Banking Department	16,18,84,000		A.—Gold Coin and Bullion :—		
Notes in circulation	1184,94,24,000		(a) Held in India	40,01,71,000	
			(b) Held outside India	
			Foreign Securities	720,31,38,000	
Total Notes issued		1201,13,08,000			
			Total of A		760,36,09,000
			B.—Rupee Coin		47,04,76,000
			Government of India Rupee Securities		393,72,23,000
			Internal Bills of Exchange and other commercial Paper
Total Liabilities		1201,13,08,000	Total Assets		1201,13,08,000

Ratio of Total of A to Liabilities : 63.304 per cent

Dated the 27th day of April 1949.

C. D. DESHMUKH, Governor.

K. R. K. MENON, Secy

MINISTRY OF FINANCE (REVENUE DIVISION)

INCOME-TAX

New Delhi, the 23rd April 1949

No. 33.—It is notified for general information that the Central Government have approved the undermentioned institutions for the purposes of sub-section (1) of section 15B of the Indian Income-tax Act, 1922 (XI of 1922):—

“East Punjab

279 The Vishveshvaranand Vedic Research Institute, Hoshiarpur

Delhi

280. Kashmir Operations Relief Fund Committee, New Delhi.”

No. 34. It is notified for general information that the Central Government have approved the institution mentioned below for the purposes of sub-section (1) of section 15B of the Indian Income-tax Act, 1922 (XI of 1922):—

“Bombay

281. Indian Hockey Federation, Bombay.”

No. 35.—*Corrigendum.*—In the Ministry of Finance (Revenue Division) Notification No. 57, dated the 21st October 1948, published in the *Gazette of India*, dated the 23rd October 1948, for item

“186 Dr. Graham's House Kalunpong”

read

“186 Graham's House Kalimpoung”

PYARE LAL Dy Secy

CUSTOMS

New Delhi, the 23rd April 1949

No. 33.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878) the Central Government is pleased to direct that the following further amendment shall be made in the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 42-Customs, dated the 9th October 1948, namely:—

In the second column of the Schedule annexed to the said notification, in the last entry relating to

articles of the cottage industries of Pakistan after the word “basketware” the words “furniture of cane” shall be inserted

STAMPS

New Delhi, the 23rd April 1949

No. 3.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government is pleased to direct that the duty chargeable under the said Act in the Centrally administered areas of Delhi, Ajmer-Merwara, Coorg and Panth Piploda in respect of surety bonds executed in connection with the receipt of special advances of pay by displaced Government servants, who have migrated from Pakistan, shall be remitted

No. 4.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government is pleased to remit, with effect from the 1st April 1949, the duty chargeable under the said Act on receipts executed in pursuance of the United Provinces Foodgrains Procurement Order, 1949

A. N. PURI, I. Secy.

MINISTRY OF COMMERCE

EXPORT TRADE CONTROL

New Delhi, the 30th April 1949

No. 91-C.W.(7)/48.—In exercise of the powers conferred by sub-section (1) of section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government is pleased to direct that the following further amendments shall be made in the Open General Licence No. 3 published with the Notification of the Government of India in the Ministry of Commerce, No. 91-C.W.(7)/48, dated the 22nd November 1948, namely:—

For the words “Bizonia in Germany” in entry (b) of the list of countries, the following words shall be substituted, namely:—

“The Joint U.S., U.K. and French Zones of Germany.”

No. 91-C.W.(10)/48.—In exercise of the powers conferred by sub-section (1) of section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central

Government is pleased to direct that the following further amendments shall be made in the notification of the Government of India in the late Department of Commerce, No. 91-C W (1)/45, dated the 3rd November 1945, namely:—

In item 68 of Part D of the Schedule annexed to the said notification—

- (i) In entry (c) the word 'Sweden' shall be deleted
- (ii) For entry (f), the following shall be substituted, namely:—

"The Joint U.S. U.K. and French Zones of Germany."

H. C. SARIN, Dy Secy

FOREIGN TRADE—TEA CONTROL

New Delhi, the 30th April 1949

No. 218(1)-FT(Tea)/49.—In pursuance of clause (a) of sub-section (1) of section 22 of the Indian Tea Control Act, 1938 (VIII of 1938), and in supersession of the Notification of the Government of India in the late Department of Commerce, No. 218(2)-Tr.(IEI)/47, dated the 12th April 1947, the Central Government is pleased to direct that, with effect from the 30th April 1949 the rate of licence fee levied by the Indian Tea Licensing Committee for an export licence, special export licence or permit issued by it shall be annas ten per thousand pounds of tea or part thereof covered by such licence or permit.

S. K. BANERJI, Dy Secy

MINISTRY OF INDUSTRY AND SUPPLY

New Delhi, the 21st April 1949

No. 138.—Srijut Robini Kumar Chaudhuri, Member of the Constituent Assembly of India, was elected on the 9th April 1949, to serve during the unexpired portion of the current financial year, on the Standing Committee for the Ministry of Industry and Supply (notified in the *Gazette of India*, dated the 16th April 1949) *vice* Shri Homi Mody resigned.

New Delhi, the 30th April 1949

No. 308-PA(39)/49.—In exercise of the powers conferred by section 8 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that with effect from 1st May 1949, the following further amendments shall be made in the Paper Price Control Order, 1945, namely:—

In the said Order—

- (1) In the proviso to clause 6 for the figure "3" the figure "4" shall be substituted;
- (2) in the proviso to clause 7 for the word "three" the word "four" shall be substituted.

K. RAM, Dy. Secy

Bombay, the 23rd April 1949

No. 15-Tex.I/49(i).—In pursuance of sub-clause (c) of clause 2 of the Cotton Textiles (Control of Movement) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. 101/19-Tex.I/48(iii), dated the 10th September 1948, namely:—

In the table appended to the said notification the following entry shall be added after entry No. 11—

"12. Mr. M. S. Ramnath,
Director, Office of the
Textile Commissioner, Bombay. All Zones."

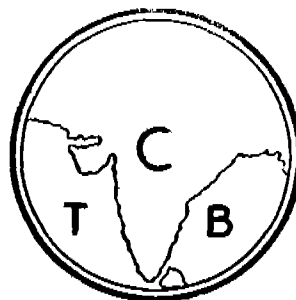
Bombay, the 30th April 1949

No. 9(9)-Tex.I/49(i).—In exercise of the powers conferred on me by clauses 22 and 26 of the Cotton Textiles (Control) Order, 1948, I hereby notify the following conditions subject to which cloth or yarn not disposed of within the period specified in sub-clause (2) of clause 25 of the said Order may be kept and sold by a dealer:—

- (1) Such cloth or yarn as aforesaid shall not be kept or sold unless it bears the special marking stamped or

impressed upon it by the Provincial Government which has seized it or to which it has been surrendered for the purpose of such marking or by the Textile Commissioner

(2) The said marking shall be in the manner prescribed in sub-clauses (a) to (c) of clause 2 and sub-clauses (a) and (b) of clause 3 of my notification No. TC(6)I/44, dated the 19th February 1944 except that the form of the marking shall be as illustrated below:—



(3) The month and year of marking shall be stamped or impressed below the aforesaid mark in the manner prescribed by clauses 2(e), 3(d) and 5 of the notification referred to in condition (2) above.

(4) Immediately below the aforesaid marking shall be stamped or impressed the maximum *ex-factory* price fixed under sub-clause (1) or sub-clause 2(a) of clause 22 of the said Order applicable at the date of such marking:

Provided that no such price need be stamped if it happens to be higher than the *ex-factory* price stamped already on the cloth or yarn at the date of its manufacture, and in such case the price so already stamped would continue as the maximum *ex-factory* price.

NOTE.—Condition (4) shall not apply to cloth produced by a producer who has no spinning plant.

(5) For affixing the markings prescribed in the above conditions, the Provincial Government or, as the case may be, the Textile Commissioner may levy on the dealers on whose cloth or yarn the markings are made a fee

equal to 5 per cent of the maximum *ex-factory* price as stamped or continued under this notification, or,

in the case of cloth produced by a producer who has no spinning plant, equal to half anna per yard.

T. P. BARAT, Textile Commissioner.

New Delhi, the 30th April 1949

No. 9(5)-Tex.I/49.—In exercise of the powers conferred by section 8 of the Essential Supplies (Temporary Powers) Act, 1946 (No. XXIV of 1946), the Central Government is pleased to direct that the following amendments shall be made in the Government of India, Ministry of Industry and Supply, Notification No. 81-Tex.I/48(i), dated the 4th December 1948, namely:—

In the said notification—

- (i) in paragraph (i) the letters, word and figure "CST No. 3" shall be deleted.
- (ii) form "CST No. 3" shall be deleted.

K. SEN Dy. Secy.

MINISTRY OF AGRICULTURE

New Delhi, the 20th April 1949

No. F. 16-94/48-R.—The Survey Research Institute, Dehra Dun, under the Survey of India has been renamed as "Geodetic and Research Branch, Survey of India". Consequently the President Survey Research Institute shall henceforth be designated as "President, Geodetic and Research Branch, Survey of India, Dehra Dun.

J. V. A. NEHEMIAH, Under Secy.

New Delhi, the 21st April 1949

No. F. 39-21/49-Com.—Under Rule I (43) of the Rules and Regulations of the Indian Central Tobacco Committee, the Central Government is pleased to nominate Mr. C. L. Patel of the Federation of Rural Peoples Organisations as a member of the Indian Central Tobacco Committee.

New Delhi, the 22nd April 1949

No. F. 39-21/49-Com.—Under Rule 1 (10—18) of the Rules and Regulations of the Indian Central Tobacco Committee the Government of Bihar have renominated the Director of Agriculture, Bihar to represent the Department of Agriculture on the Indian Central Tobacco Committee.

No. F. 39-21/49-Com.—Under Rule 1 (10—18) of the Rules and Regulations of the Indian Central Tobacco Committee the Government of Baroda State have nominated Shri B. N. Sarkar, Commissioner of Agriculture, Baroda State, as a representative of the Department of Agriculture of that State on the Indian Central Tobacco Committee *vice* Mr. C. A. Macdeen retired.

New Delhi, the 23rd April 1949

No. F. 41-12/49-Com.—Under sub-section 4(iv) of the Indian Cotton Cess Act, 1923 (XIV of 1923), Mr. J. M. Heeramanek, District Agent, M/s. Vo kart Brothers' Agency, the Mall, Kanpur, has been nominated by the Upper India Chamber of Commerce to be a member of the Indian Central Cotton Committee, Bombay, with effect from the 1st April 1949 *vice* Major S. R. Peacock resigned.

New Delhi, the 25th April 1949

No. F. 41/12/49-Com.—Under section 4(IX) of the Indian Cotton Cess Act, 1923 (XIV of 1923), Seth Bhogilal M. Shah, Mahalaxmi Mills Ltd., Bhavnagar, is nominated by the Government of the United State of Saurashtra to be a member of the Indian Central Cotton Committee, Bombay.

New Delhi, the 25th April 1949

No. F. 41/12/49-Comm.—In pursuance of the provisions of section 4(IV) of the Indian Cotton Cess Act, 1923 (XIV of 1923), the following persons have been nominated to be members of the Indian Central Cotton Committee by the authorities mentioned against them:—

Nominating authority.

1. Shri Chiman Lal Bopalal Parikh, 28, Apollo Street, Fort, Bombay.

Indian Merchants Chamber Bombay.

2. Shri Madanmohan, Mangaldas, Mangal Bag, Ellisbridge, Ahmedabad.

Ahmedabad Mill Owners' Association, Ahmedabad

S. M. SRIVASTAVA, Dy. Secy.

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 25th April 1949

No. D.1569/49-A.2.—As required by rule 2 of the rules published with the notification of the Government of India in the late Department of Education, Health and Lands, No. F.41-1/38, dated the 13th September 1934, as amended from time to time the Central Government hereby gives notice of its intention to make the following notification in exercise of the powers conferred by section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), for the information of all persons likely to be affected thereby. Any person who objects to the proposed notification may forward to the Collector of Satara District a statement of the grounds of his objection within one month of the date on which the Collector causes a public notice of the said notification to be exhibited on or near the area in question.

Draft Notification

In exercise of the powers conferred by sub-section (1) of section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Central Government is pleased to declare the following area to be a protected area, namely:—

Ancient site at Karad, in Satara District, Bombay, comprising the plot in the annexed Schedule.

P. N. KIRPAL, Dy. Secy.

MINISTRY OF HEALTH

New Delhi, the 21st April 1949

No. F.12-1/46-MII.—In pursuance of sub-section (1) of section 3 of the Indian Nursing Council Act, 1947 (XLVIII of 1947), the Central Government is pleased to constitute the Indian Nursing Council consisting of the following members, namely:—

Elected under clause (a) of sub-section (1) of section 3:—

1. Miss F. Taylor, Dean of the School of Nursing of the Christian Medical College Hospital, Vellore (Madras).
2. Miss Pirojbai S. Lakadwala, R.N. & M. (Bom.), Matron, K. E. M. Hospital, Parel (Bombay).
3. Mrs. Beatrice Amelia Indra (n'ee Berman) Lake Medical College Hospital, Calcutta (West Bengal).
4. Kumari Lena Williams, P.N.S., Superintendent of Nursing Services (United Provinces).
5. Miss E. Dennis, Nursing Superintendent, Memorial Hospital, Ludhiana (East Punjab).
6. Miss S. Abraham, Darbhanga Medical College Hospital, Darbhanga (Bihar).
7. Sister M. Appollonie, Orissa Medical College Hospital, Cuttack (Orissa).
8. Mrs. D. Joshi, Matron, Mayo Hospital, Nagpur (Central Provinces and Berar).

Elected under clause (c) of sub-section (1) of section 3:—

Mrs. Suraj Prakash, Superintendent, Silver Jubilee Health School, Lucknow.

Elected under clause (d) of sub-section (1) of section 3:—

Dr. K. N. Misra, B.Sc., M.B., Professor of Clinical Surgery, Orissa Medical College, Cuttack.

Elected under clause (e) of sub-section (1) of section 3:—

Dr. Chamanlal Mehta, M.B., B.S., L.M., F.R.F.P.S., F.C.P.S., "Mehta Block", 2nd Dadiseth Road, Bombay-7.

Elected under clause (f) of sub-section (1) of section 3:—

Rev. Mother M. Kinesburge Matron, Victoria Hospital, Jubulpore (C. P. and Berar).

Elected under clause (g) of sub-section (1) of section 3:—

1. Miss Edith Hellen Paul, R. N. & M (Bom), Matron, G. T. Hospital, Bombay.
2. Miss Penelope Brough, Medical College Hospital, Calcutta (West Bengal).
3. Miss H. N. Foysta, Nursing Superintendent, St. Catharin's Hospital, Amritsar (East Punjab).

Ex-officio members under clauses (h), (i), (j) and (k) of sub-section (1) of section 3:—

1. The Director General of Health Services.
2. The Chief Principal Matron, Medical Directorate, General Headquarters
3. The Chief Nursing Superintendent, Directorate General of Health Services.
4. The Director of Maternity and Child Welfare, Indian Red Cross Society.

Ex-officio members under clauses (l) and (m) of sub-section (1) of section 3:—

1. Surgeon General with the Government of Madras.
2. Superintendent of Nursing Services, Bombay.
3. Director of Health Services, West Bengal.
4. Director of Medical and Health Services (M), United Provinces.
5. Inspector General of Civil Hospitals, East Punjab
6. Inspector General of Civil Hospitals, Bihar.
7. Director of Health and Inspector General of Prisons, Orissa.
8. Inspector General of Civil Hospitals, Central Provinces and Berar.
9. Director of Public Health, Madras.
10. Director of Public Health, United Provinces.

11. Director of Public Health, Central Provinces and Berar.

12. Director of Public Health, Bihar.

Nominated under clause (n) of sub-section (1) of section 3:—

1. Miss M. Craig, Principal, College of Nursing, New Delhi.
2. Mrs. Najib Khan, Matron, Tata Hospital, Jamshedpur.
3. Mrs. Hannah Sen, formerly Principal of the Lady Irwin College, Delhi.
4. Mrs. L. Seeley, Welfare Officer, West Bengal Provincial Branch, Indian Red Cross Society, Calcutta.

Elected under clause (o) of sub-section (1) of section 3.—

1. Shrimati G. Durgabai.
2. Sri Yudhishtir Mishra.

M. R. KOTHANDARAMAN, Dy. Secy.

New Delhi, the 22nd April 1949

No. F.10-10/48-M.I.—In pursuance of section 3 of the Dentists Act, 1948 (XVI of 1948), the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Health No. F.10-10/48-M.I., dated the 12th April 1949 constituting the Dental Council of II b, namely:—

To the said Notification, the following entry shall be added, namely:—

29. Dr. Chunibhai S. Patel,
M.B.B.S., Elected L.R.C.P.,
M.R.C.S., F.R.C.S., 3, New
Queen's Road, Bombay 4.

The Senate of Clause (d),
the University
of Bombay.

New Delhi, the 25th April 1949

No. F. 1-31/47-D.—The following draft of further amendment to the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940), is published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 30th July 1949. Any objections or suggestions which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In clause (9) of rule 65 of the said Rules, after the word and letter "Schedule H", the words "and preparations containing such substances" shall be inserted.

No. F. 18-1/46-D.—The following draft of a further amendment to the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940), is published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 30th July 1949. Any objections or suggestions which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In Schedule B to the said Rules,

after the entry "Adrenaline and preparations of Adrenaline" in item I, the following entry shall be inserted, namely:—

"Ponicillin Rs. 25."

New Delhi, the 26th April 1949

No. F. 1-44/47-D.—The following draft of a further amendments to the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940), is published, as required by the said sections, for the information of all persons likely to be affected thereby and notice is given hereby that the draft will be taken into consideration on or after the 30th July 1949. Any objections or suggestions which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In paragraph 1 of Part X of Schedule F to the said Rules, for the words "prepared from the gut or any tissue of an animal", the words "of animal, vegetable or synthetic origin" shall be substituted.

J. N. SAKSENA, Under Secy.

MINISTRY OF RAILWAYS (Railway Board)

New Delhi, the 20th April 1949

No. 721-TG.—In exercise of the powers conferred by the Notification of the Government of India in the late Department of Commerce and Industry, No. 801, dated the 24th March 1905, and in pursuance of sub-section (3) of section 47 of the Indian Railways Act, 1890 (IX of 1890), the Railway Board sanction the making of the following amendments by the Bombay Port Trust Railway in the rules published in Railway Board's Notification No. 24116, dated 16th October 1923, namely:—

1. In the said rules, under the head "Demurrage on Wagons" as amended by Railway Board's Notifications No. 721-TG, dated 27th August 1947 and 13th November 1948:

- (i) For clause (d) the following clause shall be substituted, namely:—

"(d) 'Working hours' in Dock siding are 8 to 12 and 13 to 17 hours on all days except Sundays and Dock holidays. The night shift is from 17-30 to 24 hours including half an hour's recess."

- (ii) In sub-clauses (I) and (III) of clause (h) the words, figures and brackets "four and a half (4)" the word, figure and brackets "four (4)" shall be substituted.

- (iii) In clause (h) after sub-clause (IV) the following sub-clause shall be inserted, namely:—

"(V) If arrangements are made with the Docks Manager for night work, a minimum of four (4) hours free time will be allowed between 17-30 and 24 hours excluding half an hour's recess."

II. In the said rules, under the head "Wharfage on Goods" for rules (a), (c), (d), (e), (f) and (g) the following rules shall be substituted respectively, namely:—

- "(a) Wharfage may be charged at the rate of two annas per maund or part of a maund per day or part of a day except as in (d).
- (c) Wharfage may be charged on goods on which freight is not charged per maund at Rs. 20 per day or part of a day for each wagon the goods occupied when received or when loaded, or would occupy if loaded.
- (d) Wharfage may be charged at Cotton Depot station at the rate of eight annas per bale of cotton per day or part of a day.
- (e) Where the total amount of wharfage due on any one consignment is less than eight annas, it shall be foregone.

FREE TIME

- (f) Wharfage may be charged on goods unloaded at but not removed from any public siding, except as in (g) from the closing time of the day following that on which unloaded, whether by the Railway or by the Owner, until removed.
- (g) Wharfage may be charged on cotton bales unloaded at but not removed from Cotton Depot station as follows:—

- (1) On bales unloaded by 17 hours (5 P.M.) on any day and not removed before closing time on the following day.
- (2) On bales unloaded after 17 hours (5 P.M.) on any day and not removed before closing time on the day after the following day.

No. 869-TG.—Whereas in the Railway Board's Notification No. 1078-T, dated the 9th March 1929, General Rules were made for all railways in British India administered by the Government and for the time being used for the public carriage of passengers, animals or goods.

And whereas the said rules were adopted by the Bombay Port Trust Railway and the Commissioners for the Port of Calcutta with the sanction of the Railway

Board conveyed in their Notification No. 1078-T, dated the 18th September 1929 and 15th December 1932, respectively

And whereas in the Railway Board's Notification No. 869-TG, dated 18th August 1948, certain amendments were made in the said rules as made for railways administered by the Government

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 47 of the Indian Railways Act, 1890 (IX of 1890), and by the Notification of the Government of India in the late Department of Commerce and Industry, No. 801, dated the 24th March 1905, the Railway Board hereby sanction the making of the said amendments in the said rules as so adopted by the said railways.

No. 952-TG.—In exercise of the powers conferred by the notification of the Government of India in the late Department of Commerce and Industry, No. 801, dated the 24th March 1905, and in pursuance of sub-section (3) of section 47 of the Indian Railways Act, 1890 (IX of 1890), the Railway Board sanction the following rules made by the Saurashtra Railway, under clauses (f) and (g) of sub-section (1), of the said section, for and to be applicable to the Saurashtra Railway System:—

WHARFAGE ON GOODS FOR DESPATCH WAITING TO BE CONSIGNED

1. For goods of every description brought on to the railway premises for despatch but in respect of which consignment note is not received before closing time of the day on which goods are brought to station, from any cause what-so-ever, wharfage shall be charged at the rate of six pies per maund or part of a maund per day or part of a day in excess of the free time.

2 If goods are withdrawn after being brought to a Railway Station for despatch, they shall be charged at the same rate and no free allowance shall be given therefor.

3. Goods in all cases shall remain at the railway premises at Owner's risk until such goods are taken over by the Railway Administration for despatch and a receipt is granted on the prescribed form under the signature of a Railway Servant duly authorized in this behalf

WHARFAGE ON GOODS AVAILABLE FOR DELIVERY

4. A wharfage charge of six pies per maund or part of a maund shall be levied for all goods not removed from the Railway premises within 48 hours from midnight of the day of their arrival at destination

5. The goods shall be deemed to be "available for delivery" when a wagon is unloaded at destination, whether the invoice has been received or not. The delivery shall be deemed to be effected when the whole consignment is removed from railway premises.

CALCULATION OF WHARFAGE

6. (1) Where freight is levied on weight wharfage shall be charged on such weight.

(2) Where freight is levied on the carrying capacity, of a vehicle in or on which the goods are carried—wharfage shall be charged on the carrying capacity of such vehicle

EXCEPTIONS

7. No wharfage on account of the Railway is chargeable on goods lying on the dock premises at the following ports, such charges being collected by the Port Authorities:—

Bhavnagar Docks.
Bhavnagar Concrete Jetty.
Mahuva Bundar.
Port Albert Victor Bundar.
Porbandar Docks.
Veraval Docks.
Bedi Bundar.
Okha Port.
Navlakhi.
Salaya.

STORAGE

8 Goods shall be stored either under cover or in the open, as the Railway Administration may direct.

NOTICE OF ARRIVAL

9. The Railway Administration shall not be bound to serve notice of arrival of goods either on consignees or their agents, and the non-receipt of such notice shall not entitle consignees to claim exemption from wharfage or demurrage or storage charges, if the delivery of the goods is not taken within the free time allowed.

PARTIAL DELIVERY OF CONSIGNMENTS

10. A consignee shall take delivery of goods forming part of a consignment, whenever such goods are available for delivery, notwithstanding that the remaining goods are short or damaged or have not arrived at destination, or are otherwise not available for delivery, otherwise such goods shall be subject to wharfage if they are not removed within the time allowed

DEMURRAGE ON OUTWARD GOODS

On vehicles ordered and waiting to be loaded by senders

11. On vehicles ordered by the consignor and awaiting to be loaded or detained for want of consignment, or due to the default of or at the request of the consignor, demurrage shall be charged at the rate of one anna per hour or part of an hour for every ton or part of a ton of the carrying capacity of each vehicle after the expiry of 6 day light hours computed from the time at which the wagons have been placed in position for loading

12 Where wagons are indented by consignors but are not used, demurrage shall be levied for the entire period from the time the wagon was placed in position for loading and upto the time of receipt of written intimation of cancellation of the Indent, or until the wagons are removed by the Railway, whichever happens earlier. No free time shall be allowed in such cases.

DEMURRAGE ON INWARD GOODS ON LOADED VEHICLES WAITING TO BE UNLOADED BY CONSIGNEES

13. On loaded vehicles waiting to be unloaded, charges for demurrage shall be levied at the rate of one anna per hour or part of an hour, for every ton or part of a ton of the carrying capacity of each vehicle, after the expiry of 6 day-light hours from the time the vehicles are placed in position for unloading

PRIVATE SIDINGS

14 Rules 11, 12 and 13 shall apply also to the vehicles placed for loading or unloading in private sidings.

RIGHT OF RAILWAY TO UNLOAD

15. In cases in which the unloading of consignments is required to be done by the consignee but (a) the consignee fails to have a wagon unloaded within the free time allowed, or (b) the Railway considers that an earlier release of wagons will be secured by the unloading being done by the railway itself within the free time allowed, the railway may undertake the unloading and charge the consignee for doing so at the rates notified in the I.R.C.A. goods Tariff and also charge demurrage and wharfage in accordance with the rules as the case may be

PACK TRAINS

16. In the case of Pack Trains, loading must be completed within 5 hours of the day or night and unloading within 8 hours of the day or night after which demurrage shall be charged at the same rates as are specified in paras. 11 and 13.

DAYLIGHT HOURS

17. Daylight hours are reckoned from 7 to 17 hours. Demurrage shall be charged for every hour or part of an hour, whether of day or of night which is in excess of free time.

ROUNDING OFF OF CHARGES

18. In calculating wharfage and demurrage charges, fractions of an anna less than 6 pies shall be dropped and

six ptes and over shall be charged as one anna, but where the wharfage or demurrage due on any consignment after rounding off, amounts to less than two annas, it shall not be charged.

BOTH DEMURRAGE AND WHARFAGE CHARGEABLE

19. Where the goods required to be loaded or unloaded by owners become liable to both demurrage and wharfage the Railway Administration shall levy both such charges.

INCREASE IN RATES

20. If and for so long as, the state of traffic or a sudden emergency makes it necessary, the rate of demurrage or wharfage may be increased and free time may be curtailed after advertisement in newspapers locally in circulation.

LIEN ON GOODS

21. The Railway Administration shall have the lien on goods for wharfage or demurrage which shall except by special arrangement, be paid before the goods are removed.

SUNDAYS AND HOLIDAYS

22. Sundays, Christmas Day and Good Friday shall be reckoned in charging wharfage and demurrage on goods.

EXPLOSIVE AND DANGEROUS GOODS

Explosive or dangerous goods shall be removed by the consignee during the 12 hours of daylight after arrival; and thereafter the Railway Administration may return the consignment to the consignor at his risk and expense.

WHARFAGE AND DEMURRAGE CHARGES ON COACHING TRAFFIC

24. Wharfage and demurrage charges as notified in the I.R.C.A. Coaching Tariff shall apply on all Coaching Traffic over this Railway.

New Delhi, the 25th April 1949

No. F. (X) II-47/TX-29/1.—In pursuance of clause (1) of section 3 of the Railways (Local Authorities' Taxation) Act, 1941 (XXV of 1941), the Central Government is pleased to declare that the administration of the East Indian Railway shall be liable to pay in aid of the funds of the Local Authorities set out in column I of the Schedule annexed hereto, the tax specified in the corresponding entry in column II thereof.

SCHEDULE

Local Authorities I		Tax II
District	Name of Local Authorities	
2 Parganas	Mathurapore Union Board.	Union Rate
	Ghateswar Union Board.	Union Rate.

New Delhi, the 26th April 1949

No. F. (X) II-48/TX-17/31.—In pursuance of sub-section (1) of section 3 of the Railways (Local Authorities' Taxation) Act, 1941 (XXV of 1941), the Central Government is pleased to declare that the Administration of the South Indian Railway shall be liable to pay, in aid of the funds of the Local Authority set out in column I of the Schedule annexed hereto, the tax specified in column II thereof.

SCHEDULE

Local Authority I	Tax II
Virudhunagar Municipality.	Lighting tax.

S. S. RAMASUBBAN, Secy

MINISTRY OF TRANSPORT

New Delhi, the 25th April 1949

No. W.II-6(1)/49.—The Governor General is pleased to appoint a Standing Committee for Roads for the financial year 1949-50. The functions of the Committee shall be as defined in paragraph 10 of the Resolution on road development adopted by the Constituent Assembly of India (Legislative) on the 19th November 1947.

The composition of the Committee shall be as follows—

Chairman

The Minister for Transport.

Members

The Chief Commissioner of Railways.

Shri S. Nijalingappa.

Dr. V. Subramaniam.

Shri B. N. Munavalli.

Shri C. M. Poonacha.

Shri Ram Chandra Upadhyaya

Shri Kusum Kant Jain.

Shri Kishorinohan Tripathi.

Srijut Kuladhar Chaliha.

Sardar Hukam Singh.

Shri Krishna Chandra Sharma

Mr. T. J. M. Wilson

Lala Raj Kanwar.

Elected by the
Constituent
Assembly of
India (Legis-
lative)

The Minister of State for Transport.

The Government Chief Whip

*Ex-officio
members*

A. K. MUKHERJEA, Dy. Secy.

MINISTRY OF COMMUNICATIONS

New Delhi, the 30th April 1949

No. 11-A/1-49.—The following draft of certain further amendments to the Indian Aircraft Rules, 1937, which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), is published as required by section 14 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 25th July 1949. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendments

In the said rules—

(a) In rule 135—

(i) In sub-rule (1), after the word "Board", the following shall be added, namely:—

"save as provided in sub-rule (2) of rule 145,";

(ii) for sub-rule (2) the following shall be substituted, namely:—

"(2) The Board shall consist of a Chairman and not less than two, and not more than four, other Members, all of whom shall be appointed by the Central Government. The Director-General shall be one such Member and the Chairman and the other Member or Members shall be persons with high judicial legal or administrative experience."

(iii) in sub-rule (5), for the words "such one of the other Members of the Board as may be nominated in this behalf by the Chairman", the words "the Director General" shall be substituted.

(b) In rule 135A—

(i) in sub-rule (1), the following shall be added, namely—

"The Secretary and all such other officers shall be under the administrative control of the Director-General and form part of his establishment.";

(ii) sub-rule (2) shall be omitted.

(c) Rule 135 AA shall be omitted.

(d) In rule 137—

(i) for sub-rule (1), the following shall be substituted, namely:—

“(1) Applications for a licence other than a temporary licence to operate an air transport service shall be made to the Director-General not less than one month before the date on which it is desired to commence the service unless the Board has appointed a last date for the receipt of applications in which case the applications shall be made on or before that date or such later date as may be fixed by the Board.”

(ii) in sub-rule (3) for the word “ten” the word, “three” shall be substituted.

(e) In rule 138 for the figures “30”, the figures “15” shall be substituted.

(f) In rule 139—

(i) in sub-rule (1), for the figures “15”, the figures “10” shall be substituted,

(ii) in sub-rule (2) for the words “The Director-General”, the words “The Civil Aviation Directorate” shall be substituted.

(g) After rule 139 the following rule shall be inserted, namely:—

“139-A. Grant of Licence.—(1) The Board shall hear and dispose of an application for a licence and any representation made in respect thereof as speedily as possible, may hear and dispose of jointly all applications relating to the same route or area, may allow any amendments of applications or representations as it may deem fit, summarily reject any representation or, for reasons to be recorded, dispense with the publication of an application under rule 138

(2) The Board may, if it so thinks fit, grant a licence to an applicant as soon as it is satisfied in regard to the conditions specified in clauses (1), (2) and (3) of rule 140 and specify a date within which the applicant shall satisfy the Director-General in regard to fulfilment of such conditions as the Board may specify with reference to clauses (4), (5), (6), (7) and (8) of rule 140; and the licence shall take effect immediately after such date if the Director-General on or before that date, certifies to the Board that he is satisfied as aforesaid, or else shall be deemed to have been cancelled:

Provided that the Board may extend such date if the applicant shows good cause for doing so.”

(h) In rule 141, for clause (4), the following shall be substituted, namely:—

“(4) The observance of a schedule of air services approved from time to time by the Director-General:

Provided that any change in the frequency of the service other than a temporary change shall require the approval of the Board.”

(i) For rule 143 the following shall be substituted, namely:—

“A licence, other than one granted under rule 145, 146 or 147 shall, subject to the provisions of rule 148, be valid for such period not exceeding ten years as may be fixed by the Board at the time it is granted.”

(j) After rule 144 the following rule shall be inserted, namely:—

“145—Grant of temporary licence.—(1) The Board may grant, for a period not exceeding sixty days, and in accordance with such procedure and for such reasons and subject to such conditions as it may think fit, a temporary licence to operate a scheduled air transport service with aircraft registered in India.

(2) The Central Government also may exercise the powers specified in sub-rule (1) and further may extend the temporary licence from time to time upto a total period not exceeding six

months and amend, suspend or revoke any licence granted under this sub-rule and review any order made thereunder, for such reasons, in any such case, as it shall think fit.”

(k) Rule 145 shall be omitted.

(l) After rule 147 the following shall be inserted, namely:—

“147-A. Amendment of terms of licence.—(1) The Board, so far as appears to it to be necessary for securing the more effective development of air transport or otherwise in the public interest, may at any time amend the terms of a licence other than a licence granted under sub-rule (2) of rule 145 after giving the holder a reasonable opportunity of representing his views.

(2) The Board may on the application of the holder of a licence other than a licence granted under sub-rule (2) of rule 145 made in the manner prescribed in rule 137, make such amendment in the licence as appears to the Board to be unobjectionable.”

(m) In rule 148—

(i) for sub-rule (1) the following shall be substituted, namely:—

“(1) The Board may revoke a licence other than a licence issued under sub-rule (2) of rule 145, or suspend the licence for such period as it thinks fit, if it is satisfied—

(a) that any of the conditions of the licence has not been complied with and that the failure is due to any wilful act or default on the part of the holder of the licence, or has been so frequent, or is due to such negligence on his part, that the licence should, in the public interest, be revoked or suspended, as the case may be; or

(b) that the holder of the licence has failed to establish a safe, efficient and reliable service; or

(c) that having regard to the financial resources of the holder of the licence or the losses incurred by him, he cannot be relied upon to continue the operation of the service in a safe, efficient and reliable manner, or

(d) that such substantial changes have taken place in regard to the matters specified in clauses (1) to (8) of rule 140 as to render it necessary or expedient in the public interest or in the interest of safety to suspend or revoke the licence; or

(e) that the licence was obtained by fraud.”

(ii) in sub-rule (2) for the word “thirty” the figures “15” shall be substituted.

(n) In rule 150, in the proviso, after the words “is disposed of”, the following words shall be added, namely:—

“or unless the Board has directed otherwise in the interest of public convenience.”

(o) In rule 151, in the proviso, after the words “Provided, however, that if the holder of a licence”, the following words shall be inserted, namely:—

“other than a temporary or a provisional licence.”

(p) In rule 153, for the words “determined from time to time by the Board”, the following shall be substituted, namely:—

“agreed between the licence holder and the Director-General of Posts and Telegraphs and, in the event of disagreement between them, as may be determined by the Board upon a reference made to it by either of them.”

P K ROY, Dy. Secy.

POSTS AND TELEGRAPHS

New Delhi, the 21st April 1949

No. PHA-35-22/48.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government is pleased to direct that, with effect from the 16th May 1949, the following further amendments shall be made in the Indian Telegraph Rules, 1932, namely:—

In rule 454 of the said Rules—

- (a) In sub-rule (1), for the words "telephone connections for short periods" the words "casual telephone connections" shall be substituted.
- (b) After sub-rule (2), the following sub-rule shall be added, namely:—

"(3) The maximum period for which a casual connection can be given shall be two months."

V. K. R. MENON, Secy.

MINISTRY OF WORKS, MINES AND POWER

RESOLUTION

New Delhi, the 25th April 1949

No. 2633-WI/49.—The following amendment is made to the Ministry of Works, Mines and Power, Resolution No. 128-WI/48, dated the 4th January 1949 notifying the merger of the Standing Advisory Committee for the Development of New Delhi with the Central Co-ordination Committee for the Development of Delhi:—

In Appendix II

Under the head "1. Delhi Development Sub-Committee", the entry "(xiii) The Deputy Chairman, The Punjab Chamber of Commerce, New Delhi", shall be substituted by the entry, "(xiii) A representative of the Punjab Chamber of Commerce, New Delhi".

C. S. EDWARD, Asstt. Secy.

MINISTRY OF LABOUR

ORDER

New Delhi, the 27th April 1949

No. LB-3(101).—Whereas an industrial dispute has arisen between the workmen of the Lakurka Colliery and their management, viz., H. V. Low & Co. Ltd.;

Whereas the matters specified in the schedule hereto annexed have, so far as the Central Government is aware, been raised on behalf of the workmen;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to refer the said dispute for adjudication to the Industrial Tribunal at Dhanbad constituted under section 7 of the said Act.

SCHEDULE

1. Contemplated reduction in wages.
2. Restoration of cut in the wages of trimmers with retrospective effect.
3. Wages for over-time work with retrospective effect.
4. Payment for enforced idleness in Pit Number 9.
5. Wages for work on Sundays since May 1947.
6. Payment for Lead and Lift.
7. Alternative work or payment to loading workers when they are idle owing to wagon shortage.
8. Payment with retrospective effect for overtime work to loading coolies at Phularit for work on weekly holiday.
9. Restoration of one month's leave with pay per year to monthly paid workers.
10. Improvement in the arrangements for water supply.
11. Educational facilities for workers' children.
12. Restoration to monthly paid basis of certain workers who have been placed on a weekly paid basis.
13. Pump Khalasis and Hookmen to be placed on monthly paid basis.
14. Payment of full wages to certain workers for the period they were wrongfully placed under suspension.
15. Reinstatement of a worker.
16. Old age benefits for two workers.
17. Payment of outstanding sickness allowance to two workers.
18. Railway fare and leave with pay for workers visiting their homes.
19. Provision of an office and a club for the union.
20. Attendance bonus to loading coolies (Lakurka).

H. KHANNA, Dy. Secy.

